APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,605	01/21/2000	William J. Baer	STL000023US1	6038

23373 7590 01/26/2005		EXAMINER
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ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application N .	Applicant(s)
Office Action Summary	09/489,605	BAER ET AL.
	Examiner	**Art Unit**	
	CamLinh Nguyen	2161	

-- The MAILING DATE of this communication appears on the c ver sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 November 2004*.

2a)☒ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5)☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ .	6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.　　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.　　Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds et

al (U.S. 6,411,993) in view of Friedman et al (U.S. 2003/0208556).

◆ As per claims 1, 6, 11,

Reynolds et al discloses a method for facilitating creation and manipulation of compilations of

content selected by a user, comprising:

- "Providing a functional layer for interfacing over a network with a user interface and

  interfacing with a data repository containing a plurality of content entities." See Fig. 3. In

  particular:

  - "A functional layer" corresponds to the "Ibook server application 64"

  - "Interfacing over a network" corresponds to the "data network 52"

  - "A user interface" corresponds to the "client 54, 58, 60"

  - "Interfacing with a data repository containing a plurality of content entities"

    corresponds to "databases 66 – 76"

- " The functional layer comprising a plurality of function modules, each function

  pertaining to the creation or manipulation of a compilation of content." The Ibook server

application 64 handles different functions such as directs the overall operation of Ibook

databases 66 – 72 (col. 5 lines 23 – 28), enrollment functions, downloading tools to the

user (col. 5 lines 67 – col. 6 lines 6), generating a viewer ID (col. 6 lines 32 – 33);

therefore, the server must include plurality of modules to handle these functions.

- " The plurality of function modules receives request from the user via the user interface

  and returns information concerning the compilation of content" See Fig. 9, in particular:

  - "Request from the user" corresponds to the "request desired passage from server"

    element 200 in Fig. 9 col. 11 lines 34 – 43.

  - "The user interface" corresponds to the interface shown in Fig. 8.

  - "Returns information concerning the compilation of content" Fig. 9, element 206,

    col. 11 lines 43 – 45.

Reynolds does not clearly teach that the plurality of function modules are interfaced over

a network with a user via a user interface. Reynolds teaches a method for replicating an Ibook

from one server to another server using application 64 (col. 13, lines 56 – 57, Reynolds). The

application can be downloaded or referenced (col. 13, lines 59 – 63, Reynolds). Therefore, the

client plug-in 80 located in Ibook server can also located either in the parent server or the client

computer.

Friedman, on the other hand, discloses a method for enabling on-line creation of greeting

cards. The system includes a "functional layer" (250) for interfacing over a network (205) with

the user (210, 212, 220A-B) via a user interface (the interface of user computer) and interfacing

with a data repository (280). Friedman teaches that the system allows the user to select from a

plurality of cards/image (page 8, paragraph 0084, 0086, Friedman). Friedman teaches that the

web server 260 contains modules such as module 266 that can be executed (0056, 0076, 0087,

Friedman). The plurality of content entities corresponds to the databases 270 – 280, and 241).

The modules are located in the server that interfacing over the network via an interface (0056).

It would have been obvious to one with ordinary skill in the art at the time the invention was

made to modify the system of Reynolds by placing the modules in the server as taught by

Friedman because the combination would reduce the network traffic and allow the user can

access the content anywhere without download the module into their computers.

♦ As per claims 2 - 3, 7 – 8, 12 – 13,

- "One of the function modules creates a list of content entity identifiers defining the

  content and order of a compilation." See col. 9 lines 36 – 50, Reynolds. The server

  application 64 causes information to be stored in databases including the identities,

  time/date, which identify the order of information, also can be stored. When the user

  view the information, this information can represents as a list (col. 10 lines 45 – 57,

  Reynolds). The server also can provide an index that to be stored in database (col. 14

  lines 46 – 51, Reynolds), or a list (col. 15 lines 54 – 60, Reynolds).

- " At least one function module manipulates the list to redefine the content" See col. 12

  lines 9 – 11, Reynolds.

♦ As per claims 4 – 5, 9 – 10, 14 – 15,

- "The compilation is hierarchically structured and wherein on of the function modules

  creates an outline of containers and content entity identifiers." Reynolds teaches,

  "Various techniques may be used to represent the contents of ibook Web pages (e.g., the

  ibook Web pages in ibook Web pages database 76). For example, ibook Web pages may

be represented by static data. Alternatively, ibook Web pages may be represented by code

that is capable of generating the Web page contents, e.g., code that generates the entries

of a table or list." See col. 15 lines 54 – 60, Reynolds. Therefore, the compilation can also

represent as a hierarchically structured.

- A "list" corresponds to the "outline."

♦ As per claims 16 – 18,

  - " One of the function modules calculates a price for the compilation of content" See Fig.

    10, col. 12 lines 4 – 22, Reynolds.

♦ As per claims 19 – 20,

  - " The plurality of content entities comprise catalogs of data stored in the data repository"

    See Fig. 2, Reynolds, page 5, paragraph 0059, 0064, Friedman.

  - " Said containers comprise at least one book having at least one volume and at least one

    chapter" See col. 3, lines 51 – 62, Reynolds.

Response to Arguments

3.   Applicant's arguments filed 11/19/04 have been fully considered but they are not

persuasive.

Applicant argues that the Reynolds reference does not teach or suggest that the Ibook server

application server 64 has a plurality of function modules that execute functions pertaining to the

creation or manipulation of a compilation of content (see page 2 of the remark). The Examiner

respectfully disagrees.

The Examiner did not use the Reynolds for this limitation instead of the Examiner used

Friedman reference for it.

Applicant argues that the combination of Reynolds and Friedman references do not teach or

suggest the plurality of function modules that execute functions pertaining to the creation or

manipulation of a compilation of content (see page 3 of the remark). The Examiner respectfully

disagrees.

Referring to page 8, paragraph 0088, Module 266 can be implemented as an application using

different programming techniques (paragraph 0092); and in page 4, paragraph 0054, Friedman

teaches that the server one or more application can be implemented under control of the system.

Clearly, the combination of Reynolds and Friedman do disclose plurality of function modules.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

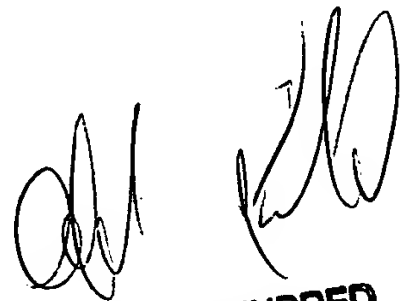date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CamLinh Nguyen whose telephone number is (571) 272-4024.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

ALFORD KINDRED
PRIMARY EXAMINER